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TRANSIT JOB SEEN IN O'RYAN'S CALL

Miller Silent on Appointment, However, After Confering With General.

BANNARD ALSO LISTED

McAneny and Harkness Reported to Have Been Offered Positions.

NAMES TO SENATE TO-DAY

Governor Says He Is Confident He Can Complete Eight Nominations.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau, Albany, April 13. Gen. John F. O'Ryan was called to the Capitol to-day for a conference with Gov. Miller. This gave rise to a report he had been offered a position on the new Transit Commission. The Governor refused to comment when asked whether O'Ryan had been offered the position. The former commander of the Twenty-seventh Division is a lawyer.

Another name added to-day to the list of possible appointees is that of Otto T. Bannard. New York banker, who was fusion nominee for Mayor against William J. Gaynor. The Governor said he fully expected to send the eight nominations for the new commissions to the Senate to-morrow.

The Governor would not comment on reports he had offered posts to George McAneny and Le Roy T. Harkness. He made public letters from Clarence J. Shearn and Victor Morawetz of New York declining appointments to the commission. Mr. Morawetz said he felt it was his duty to try to help the Governor solve a hard problem, but because of the condition of his health he could not accept the position. Mr. Shearn could not accept because of his work as counsel for stockholders of the Second Avenue Railroad.

"I regret to have to make this answer, for I know how earnest and genuine you are in your determination to achieve a result that will be right and enduring and that will meet the approval of the people and I should like to help you in accomplishing the public service you have at heart," Mr. Shearn wrote.

The Governor to-day appointed as members of the State Hospital Commission Cyrus Jones of Jamestown, to succeed Frederick A. Higgins, and Arleigh D. Richardson, of Ithaca, to succeed Andrew D. Morgan. Mr. Jones is manager of the Jamestown Art Metal Company and Mr. Richardson is a lawyer. Mr. Higgins resigned under fire last week after the Governor had threatened to remove him on charges for opposing economies in the department.

LEGISLATURE SPLIT OVER PRIMARY REPEAL

Lusk Is Confident Agreement Will Be Reached.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau, Albany, April 13. A split between the Senate and Assembly over the direct primary repeal bill endangered its passage to-day, but Senator Lusk, the majority leader, gave the assurance that an agreement would be reached. Bills before the two houses agree on the provisions for restoration of conventions for the nomination of State and judicial officers. The two houses, however, have failed to get together on the manner of designating the delegates.

The Assembly bill gives the party committees in Assembly districts the right to designate their preferences for delegates to be voted for in the primaries. Independent candidates can get their names on the primary ballot by petition. The Senate bill, which was introduced today by Senator Whitely, gives no recognition to party committees. It provides that all candidates for delegates must be designated by petition.

The Senate adopted a resolution offered by Senator Whitely, creating a commission of three Senators and four Assemblymen, to recodify the election laws. It appropriates \$7,500.

TEACHER NOT 'ESSENTIAL'

At Least Their Strike Is Outside Kansas Industrial Court.

TOPEKA, Kan., April 13.—Telegraphing Gov. Henry J. Allen that "teachers all struck," Joe Sims of Medicine Lodge, Barber county, asked the State Executive to-day if the "industrial court" applied. The Governor replied that the Court of Industrial Relations had jurisdiction only over food, fuel, clothing and transportation, the four industries defined as essential.

AMENDMENT BLOW TO TRANSIT FOES

Continued from First Page.

and leader of the Mayor's transit fight, declared the Governor's statement that "it will doubtless be necessary to discard some lines and to operate others even at a loss to provide the public the necessary service," is "confirmatory of the position taken by the Mayor, but added that not the Governor's plan but the Mayor's bus lines was the proper cure.

Regarding Gov. Miller's proposal to amend the paragraph prescribing the manner in which valuations shall be fixed—a paragraph which Mr. O'Brien frequently has attacked as illegal and invalid—the Corporation Counsel issued the following warning: "From the manner in which the Governor discussed the proposed amendment, I would judge he is going to substitute the illegal and invalid paragraph to which I have referred with another equally vicious as a matter of law."

F. H. La Guardia, President of the Board of Aldermen, who has been a close ally of the Mayor in the transit fight, confided himself frankly to the political possibilities of the Governor's message. Characterizing the message as an "afterthought," he said: "We shall insist upon a complete showdown. All the cards must be on the table before November of this year."

That the Governor's amendment is in no way a five-cent fare proposition, or a fare proposition of any sort, but solely a matter of valuation, having for its purpose to protect the public from the transit companies getting a better bargain than would be possible with the present five-cent fare as a basis, was learned from a source intimately acquainted with the transit solution plan. That authority said:

"The Governor's proposal is that the capitalization, valuation of a transit property shall be fixed at the principal upon which the company's return on a five-cent fare represents the interest at a fair rate to be determined by the Transit Commission, providing that capitalization shall not exceed the physical valuation at reproduction cost, less depreciation."

"For example, we will say that a certain transit line's reproduction cost is \$2,000,000, but that its valuation on a five-cent fare basis upon liberal interest rate amounted only to \$1,000,000. One million dollars would be fixed by the commission as the figure at which the city might take over the line. "From any such proposed amendment, it is favorable to the interests of the public and would eliminate the possibility of the roads obtaining a valuation based upon a possible increased fare."

"It might be that some particular line might be in such condition that more than a five-cent fare would have to be advanced temporarily to keep it from breaking down completely and inconveniencing the public. Eventually, however, under the Governor's plan of a unified transit system the losses of a weak line would be borne by the stronger lines in order to maintain service."

GAS COMPANIES WILL CHARGE \$1.20 RATE

By a decree signed yesterday by Circuit Judge Henry G. Ward, Charles M. Mough and Julius M. Mayer, sitting as a statutory court, seven subsidiary companies of the Consolidated Gas Company and the Brooklyn Union Gas Company are permitted to raise their rates to \$1.20 a thousand cubic feet pending settlement of their suits to suspend operation of the present rate laws.

The parent companies are charging \$1.00 a thousand feet under a court order, which allows them to charge a "reasonable rate," but in yesterday's decree affecting the subsidiary companies the court holds that the subsidiary companies should not be permitted to charge more than \$1.20, because they are in reality only distributing companies, receiving their product from the parent companies.

The New York Mutual, Standard Gas and Light and East River Gas companies and the New Amsterdam Gas Company, subsidiaries of the Consolidated Gas Company, are permitted to put the increased charges into effect May 1. The Jamaica, Richmond Hill and Queens City companies' new rate will go into effect April 15.

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Cheers—
Three of them—long and loud for the man who designed these
Younger Men's Suits \$24.75
Sizes 16 to 20 Years
Cut on lines which make graduating from short to long trousers a comfort and pleasure.
Tailored with style of fabrics younger men want.
Herringbones in brown and a new green.
Pencil Stripes—gray, blue and brown.
Plain gray and plain blue serges.
Double and single breasted; two or three button models.

SCRAMBLE BEGINS TO ADVANCE BILLS

Decision for Saturday Adjournment Brings Legislative Activity.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau, Albany, April 13. Within half an hour after the adoption of the resolution fixing noon, Saturday, as the time for adjournment of the Legislature, a scramble began in both houses to get pet bills out of committee or to advance them so they won't be lost in the final shuffle.

Under an emergency message from Gov. Miller the Assembly passed the bill abolishing publication of the legislative session laws in newspapers. Its passage in the Senate is certain, that house already having gone on record for it. The Assembly previously had beaten the bill. It was amended to take effect December 1 instead of immediately. The publication of the session laws and concurrent resolutions last year cost the State \$1,500,000.

Gov. Miller also sent an emergency message to Senator Cottrell in sending money to relatives abroad. The bill passed the Senate unanimously. It brings under State regulation the business of transmitting money to Europe by steamship and express company agents. Only persons duly authorized can transmit money and agents can transmit only through the principal company. A time limit is placed on the sending of the money. Investigation of all money transmission agencies by a legislative committee is provided for in a resolution of Senator Cottrell adopted by the Senate. It appropriates \$5,000.

The Senate adopted the Ferris resolution recodifying the agricultural law with a view of reorganizing the State Council of Farms and Markets, and the resolution extending the life of the Knight labor and industry committee. The first resolution appropriates \$10,000 and the second \$7,000.

The Senate passed the Lusk bill, creating a detective division in the New York city police force. The measure is opposed by organizations of the uniformed police force, but is said to have the backing of Mayor Hylan and Commissioner Enright.

The Assembly passed bills of Senator Burlingame increasing the salaries of members of the New York Police and Fire departments; the Pette bill striking out of the Sunday laws the provision allowing barbers in New York and Saratoga to do business on Sundays until 1 P. M.; and the Greenwald bill, creating a commission of five to investigate means for better facilities in marketing farm produce and reducing the cost of living.

A hearing was given this afternoon by the Senate Codes Committee on the Henderson bill driving out of business fake oil and mining promoters. It was opposed by former Senator Loring. M. Black of Brooklyn, Assemblyman Henderson and Duke spoke for it.

ITHACA FOR MORE DAYLIGHT.

ITHACA, April 13.—The daylight saving plan was carried here to-day by a wide margin when citizens took a referendum vote on the measure.

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Tailor to the Four Thousand
743 FIFTH AVENUE
THERE'S an art in making tunnies disappear and chests expand—in giving graceful lines to less graceful legs.
It is the seldom-mentioned art of fine merchant tailoring.
This art that conceals art and reveals poise and good posture is found in Louis Berg clothes—at about one-half the usual cost of the best apparel.
Master Tailored Business Suits Eighty Dollars

UNLIMITED POWER FOR GRAFT INQUIRY

Continued from First Page.

making investigations a football of politics. "You are evidently determined to minimize the importance of the eight-cent fare bill," he said. "First, you tried to turn public attention away from it by the passage of the prohibition enforcement bill for the purpose of making the present administration the most unpopular the city ever had. That failing, you are now prepared to charge inefficiency through this resolution. You are forcing this investigation on the city to rehabilitate the Republican party and settle the next Mayoralty campaign."

Senator Walker declared that if there is any inefficiency among the city officials the Governor now has the power of remedying the situation by removing them, without spending \$100,000 for an investigation. "There is no doubt that the city charter needs revising," he said, "and if you were sincere in that purpose, I would vote for this resolution."

Senator McCue attacked the Citizens' Union. He said the only reason for the investigation is because a "group of men in New York, who insist on doing things, known as the Citizens' Union, wants it and wants a job for its counsel."

He declared that the Citizens' Union were "vile and filthy body." Senator Meyer, introducer of the resolution, said that its main purpose was to find the trouble with the city's finances. "Why it cost the city the enormous sum of \$250,000,000 to run it last year, and why it cannot sell its bonds."

STATE COMPTROLLER INQUIRY IS SOUGHT

Senate Resolution Results From Travis Charges.

New York Herald Bureau, Albany, April 13.

An investigation of the State Comptroller's office is proposed in a resolution introduced to-day by Senator Nathan Straus. It creates a legislative committee of three Senators and four Assemblymen, and is the result of charges of irregularities in the investment of State funds made last year against former Comptroller Travis and the present Comptroller, James A. Wendell, who was then first deputy.

U. S. TO FORCE PANAMA TO TAKE WHITE RULING

Reply to Hughes Note Is Refusal to Accept.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau, Washington, D. C., April 13.

The United States will bring pressure to bear on Panama to force acceptance of the award made by Chief Justice White in the boundary dispute between that country and Costa Rica. The Panamanian reply to the American note has been received and Panama refuses to abide by the decision or to accept the friendly suggestions of the United States. This refusal is approved by the Panama General Assembly.

DEBS MUST WAIT ON PEACE DECLARATION

Delegation Urging Release Told There Will Be No Amnesty Yet.

WASHINGTON, April 13.—Any action toward general amnesty for prisoners convicted under the wartime espionage laws is not contemplated until after a state of peace has been declared and the Government will continue its policy of considering each case on its individual merits, President Harding and Attorney-General Daugherty to-day told delegations urging the release of Eugene V. Debs and others.

The delegation, numbering about 200, represented organized labor and political and civic organizations, and their presence here was part of a general amnesty programme carried out to-day in the leading industrial centres throughout the East and middle West. Those calling on Mr. Harding included Morris Hillquit of the Socialist party, Norman Thomas, editor of *To-Morrow*, New York city; Jackson Ralston, attorney for the American Federation of Labor, and Albert de Silver of the American Civil Liberties Union.

Those in the committee calling on Mr. Daugherty included Francis Fisher Kane, Swinburne Hale, Otto Christensen, counsel for the convicted I. W. W. leaders; Samuel B. Castleton, counsel for Eugene V. Debs, and other lawyers representing the political amnesty committee.

Mr. Hillquit said that the committee had been given a very cordial reception and felt encouraged. In presenting his plea, Mr. Hillquit told the President he was not seeking clemency "in favor of criminals," but was appealing for "justice in behalf of victims of a morbid and abnormal political situation."

He argued that the men on whose behalf the plea was made had been tried and convicted solely on the basis of writings and speeches and that "they have not taken up arms against their country, or sold themselves into the service of the enemy."

Attorney-General Daugherty said later that he "would be inclined to be lenient in reaching a decision" on individual cases.

LINTHICUM APPOINTED.

George White, chairman of the National Democratic Committee, announced yesterday the appointment of Richard Linthicum of the editorial staff of the *World* as director of publicity of the committee, thus completing the chairman's Cabinet. Mr. Linthicum was associated formerly with several Chicago newspapers.

CONVICT LEONOWSKI BETTER.

Roman Leonowski, the convict from whose brain a bullet was taken in an operation at Sing Sing prison two weeks ago, sat up yesterday and read. Dr. Amos O. Squire, prison physician, has removed the bandages from the wound. He was reported last night as considerably improved.

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